

Application No. : 09/596,663 Confirmation No. : 4323
Applicant : Gavagni, et al., et al.
Filed : March 01, 2001
FC/A.U. : 2132
Examiner : NOBAHAR, ABDULHAKIM
Docket No. : 6169-159
EIM Docket No. : BOC9-2000-0014

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TRANSMITTAL LETTER

Via Facsimile - 703-872-9306 (20 pages)

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

1. Request for Continued Examination;
2. RCE Transmittal;
3. Petition for Retroactive Extension of Time (one month);

Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-0951.

Respectfully submitted,

Date: 31 May 2005



Gregory A. Nelson, Registration No. 30,577

Brian K. Buchheit, Registration No. 52,667

AKERMAN SENTERFITT

Customer No. 40987

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: (561) 653-5000

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Certificate Under 37 CFR 1.8(a)

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31 May 2005

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Brian K. Buchheit, Esquire

Reg. No. 52.667

PTO/SB/30 (09-03)

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Request for Continued Examination (RCE) Transmittal

Address to:
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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Application Number	08/596,663
Filing Date	JUNE 19, 2000
First Named Inventor	GAVAGNI, et al.
Art Unit	2132
Examiner Name	NOBAHAR, ABDULHAKIM
Attorney Docket Number	6168-169

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply
ii. ☐ Affidavit(s)/Declaration(s)
iii. ☐ Information Disclosure Statement (IDS)
iv. ☐ Other _____

Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.109(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
b. ☐ Other _____

Fees

The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
a. ☒ Deposit Account No. 50-0851

i. ☒ RCE fee required under 37 CFR 1.17(a)
ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	BRIAN K. BUCHHEIT	Registration No. (Attorney/Agent)	52,687
Signature	<i>Brian K. Buchheit</i>	Date	MAY 31, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	BRIAN K. BUCHHEIT	Date	MAY 31, 2005
Signature	<i>Brian K. Buchheit</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IBM Docket No. : BOC9-2000-0014

REQUEST FOR CONTINUED EXAMINATION

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed January 31, 2005 (Office Action), and Advisory Action mailed April 29, 2005 please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this submission.

Remarks/Arguments begin on page 13 of this submission.

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